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Gregory K. Markham  
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Chee & Markham  
1001 Bishop Street, Suite 1000  
Honolulu, Hawaii 96813

Tuesday, September 19, 2006

Re: Death of Mitsuko Fukuoka  
Your claim Number A02AG138  
Your file No: GNC 077-2002

Dear Mr. Markham:

At your request I have reviewed multiple reports and photos on Mrs. Fukuoka's death. These include the report of Gayle Suzuki M.D.'s August 19, 2002 autopsy, the Castle Medical Center hospital records of her treatment, State of Hawaii Diving accident report 03-0225-OA, answers to interrogatories by Robert D. Kawamura attorney and multiple translated medical records of Mrs. Fukuoka.

Dr. Suzuki's autopsy clearly establishes that Mrs. Fukuoka had severe, long standing cardiovascular disease. Her heart was enlarged and showed heart muscle changes not only from past "heart attacks", but from recent episodes, according to the autopsy report, in the time frame of her underwater collapse.

I believe that because of her severe cardiovascular disease, she was clearly an "at risk" person with a high potential for a very unfavorable response to this type of underwater activity.

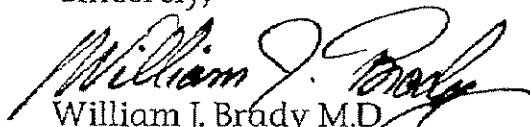
Her hospital records also contain laboratory test reports characteristic of a person with an acute inflammatory illness.

EXHIBIT 5

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I believe, with reasonable medical probability, that the descriptions of her collapse and subsequent activities, combined with her treatment records information, confirm that Mrs. Fukuoka initially suffered an episode of myocardial ischemia. Since she then collapsed while underwater, she lost the oxygen supply to her brain and died as a direct consequence of her heart attack.

Sincerely,

  
William J. Brady M.D.  
September 19, 2006

enclosures : WJB curriculum vitae, rate sheet  
wjb:map